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EXTRAORDINARY

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GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 10th September, 2012

No.21840-GAD-FE-OSSC-0028-2012/Gen.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, in supersession of all rules, notification, resolution, order and instruction; except as respects thing done or action taken before such supersession, the Governor of Odisha hereby makes the following rules for regulating the method of recruitment and conditions of service of the Chairman and Members of the Odisha Sub-ordinate Staff Selection Commission, namely:—

PART-I

PRELIMINARY

1. Short Title and Commencement:—

(1) These rules may be called the Odisha Sub-ordinate Staff Selection Commission (Method of Recruitment and Conditions of Service of the Chairman and Members) Rules, 2012.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions:—

In these rules, unless the context otherwise requires,-

(a) "Commission" means the Odisha Sub-ordinate Staff Selection Commission constituted under rule 3 of the Odisha Sub-ordinate Staff Selection Commission Rules, 2012.

(b) "Member" means a member of the Commission and includes the Chairman thereof;

(c) "Government" means the Government of Odisha; and

(d) "Pay" means basic pay as defined in rule 33 (a) (i) of Odisha Service Code.

PART-II

COMPOSITION OF THE COMMISSION AND CONDITIONS OF SERVICE OF MEMBERS

3. Method of recruitment to the post of Chairman and Members:—

The posts of Chairman and Members of the Commission shall be filled up by in-service or retired All India Service Officers or State Government officers or employees of the Public Sector Undertakings or eminent persons in the field of Education and Public Administration:

Provided that on appointment to these posts from amongst in service Government Officers, such officers have to voluntarily retire from the Government Service on due acceptance by the competent authority before joining the post in the Commission.

4. Tenure of office of Chairman and Members:—

(1) The Chairman or Members of the Commission normally shall hold office for a period of five years or till he/she attains the age of sixty two years, whichever is earlier.

(2) A person, who is appointed, as the Chairman or the Member of the Commission, shall, on the expiry of his tenure of office, cease to be further appointed by the Government.

5. Pay and Allowance:—

(1) The Chairman of the Commission shall receive a pay of rupees Sixty four thousand (fixed) per month and the Members of the Commission shall receive a pay of rupees Fifty eight thousand (fixed) per month:

Provided that if a person, who after retirement from Government service is appointed as Chairman or a Member and before his retirement was in receipt of a pay more than the amount specified above shall be entitled to draw the pay last drawn by him while he was in Government service:

Provided further that he shall be entitled to draw such pay as will be arrived at after deduction of the gross amount of pension including any portion of such pension which might have been commuted.

(2) The Chairman and Members shall be entitled to such dearness allowance on the pay so fixed as sanctioned by the Government from time to time:

Provided that the pay of the Chairman or Members shall be deemed to include the pension, if any, drawn by him in determining the admissibility for dearness allowance but not for the purpose of calculating its amount.

6. Leave, Conduct, Removal from service and Travelling Allowance etc.:—

The Odisha Civil Service (Classification, Control and Appeal) Rules, 1962, the Odisha Service Code, the Odisha Government Servants' Conduct Rules, 1959, Odisha

Leave Rules, 1966 and the Odisha Travelling Allowance Rules, 1938 and all other relevant rules relating to service conditions of a State Government employee shall *mutatis mutandis* be applicable to the Chairman and Members of the Commission.

7. Pension and Gratuity:—

(1) The Chairman and Members of the Commission, who on the date of appointment were in service in the Government and retired from the said service, are entitled to get pension calculated at the rate of rupees one thousand four hundred per annum for each completed year and the maximum amount of pension not exceeding rupees seven thousand per annum, if they have completed not less than 2 years of service as Chairman or Members, as the case may be, in the Commission. No pension shall be payable to Chairman or Members on his removal from service. If Chairman or Members who have completed two years of service or more resign from his office and such resignation is accepted by the Government, he shall be entitled to pension as admissible under these rules. If Chairman or Member has completed two years, three years, four years of service, he shall be entitled for 2/5th, 3/5th or 4/5th respectively of the full pension which is payable to him:

Provided that if the period of service rendered is one year and six months or more but less than two years, it shall be rounded off to two years while computing the tenure of such Members.

(2) Where the Chairman or the Members, who on the date of appointment was not in service of the Union or in any State, he is entitled to get pension of Rs.36,000/- and Rs. 27,000/- per annum respectively for life if he has completed five years of service in the Commission and subject to other provisions as contained in sub-rule (1) above.

(3) The Chairman and Members shall be entitled to the benefit of gratuity at the rate of 15 days pay for each completed year of service, if they have completed not less than two years of service in the Commission:

Provided that if the period of service rendered is one year and six months, it shall be rounded off to two years while computing the tenure of such Members for eligibility of gratuity.

PART-III

OTHER CONDITIONS OF SERVICE

8. Medical Facilities:—

The medical facilities as applicable to Class-I State Civil Service officers shall be applicable to the Chairman and Members of the Commission.

9. Holding any other office:—

The Chairman and the Members shall be ineligible to hold any other office under the Government or public Sector Undertaking or private sector during the tenure of his/her service in the Commission.

10. Contribution to Provident Fund:—

The Chairman and Members shall be governed by the General Provident Fund (Odisha) Rules, 1938.

11. Residential Accommodation:—

The Chairman and Members shall be eligible to get either Government accommodation or be entitled to get House Rent Allowance as per prevailing admissibility.

12. Sumptuary Allowances:—

The Chairman shall be entitled to a sumptuary allowance at the rate of Rs. 2000/- per year.

13. Leave Travel Concession:—

The Chairman and Members shall be entitled to get the benefit of Leave Travel Concession as admissible to the grade from which he retired before joining the Commission. In case of persons who did not hold any post either in Central or State Government is/ are appointed as Chairman /Member, he/she will be entitled to avail L.T.C. benefit as Group-A officers of State Government.

14. Disqualification:—

No person-

- (a) Who, has entered into or contracted a marriage with a person having a spouse living; or
- (b) Who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment as Chairman or a Member of the Commission.

By Order of the Governor

U.N. BEHERA

Special Secretary to Government